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March 20, 2025

The Honorable Judge Steven I. Locke
United States Courthouse
100 Federal Plaza
Central Islip, NY 11722

Re: 2:24-cv-08709-ARR-SIL, Plaintiff's Letter Motion for Extension of Time within Which to Effectuate Service on John Doe Defendant

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC ("Plaintiff"), moves for entry of an order extending the time within which Plaintiff has to serve Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP").

2. On January 7, 2025, Plaintiff was granted leave to serve a third-party subpoena prior to a Rule 26(f) Conference on Defendant's ISP to obtain Defendant's identifying information. Plaintiff issued the subpoena on or about January 10, 2025 and, in accordance with the time provided to both the Defendant and the ISP, expects to receive the ISP response on or about May 20, 2025.

3. Pursuant to Fed. R. Civ. P Rule 4(m), Plaintiff is required to effectuate service on the Defendant by no later than March 20, 2025. Because Plaintiff does not expect to receive the ISP response until May 20, 2025 and Defendant's identity is currently unknown to Plaintiff, Plaintiff is unable to comply with the current deadline to effectuate service of process.

4. Procedurally, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the John Doe Defendant be extended sixty (60) days from May 20, 2025 (the date Plaintiff expects to receive the ISP response), and thus the deadline to effect service be extended to July 19, 2025. This extension should allow Plaintiff time to receive the ISP response, conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant, and, if a good faith basis continues to exist, to proceed against that individual (or someone else), to amend the Complaint and to forward the issued summons and Amended Complaint to the process server to attempt to effect service on the Defendant.

5. This motion is made in good faith and not for the purpose of undue delay.

6. This is Plaintiff's first request for an extension of time within which to effectuate service of process.

7. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the Defendant be extended until July 19, 2025.

Respectfully Submitted,

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